

GOVERNMENT OF TELANGANA
ABSTRACT

R&B Deptt –Karimnagar District –Payment of Decretal amount for decree in A.S No.46/2009(of O.S.No.76/2004) by 1st Additional District Judge Karimnagar- Administrative Sanction -Accorded – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.II) DEPARTMENT

G.O.RT.No. 99

Dated:20-02-2015

Read the following:

1. From the C.E(R&B) CRN & MD.,APRDC, Hyderabad
Lr.No.MD/APRDC/GM/EE/DEE7/AEE20/2013, Dt.10.10.2013
2. G.O.Rt.No.365, TR&B(R.IV)Dept. Dt.20.03.2014.
3. From the Engineer-in-Chief (R&B) State Roads & CRN,
Lr.No.MD/APRDC/GM/EE/DEE7/AEE20/2013, Dt. 24.07.2014,
23.09.2014 & 16.12.2014
4. From the S.E(R&B) Karimnagar, Lr.No.3574/A2/SEK/2014-
15/1728, Dt.10.12.2014.

ORDER:

In the reference 1st cited read above, the Chief Engineer (R&B) CRN & MD, APRDC, Hyderabad has stated that the Hon'ble Court has dismissed O.P.No.628/2002 filed under 166(i) of M.V Act. The aggrieved party Sri.Chinta Sarvaiah S/o Veeresham R/o Kothirampur, Karimnagar filed O.S.No.76 of 2004 in the court of Senior Civil Judge, Karimnagar for compensation for his son Chinta Natraj's death on 01.04.2002, who died while he was proceeding to karimnagar from Warangal on his scooter at about 8.00 PM on the outskirts of Thummanapally (V) due to fall of road side peepal tree due to heavy rain and winds and the same was dismissed for lack of jurisdiction. Aggrieved by this Sri.Chinta Sarvaiah again filed A.S No.46/09 in the Court of 1st Additional District Judge at Karimnagar which has passed orders on 27.04.2012 for Rs.4,18,000/- with an interest of 6% per annum from the date of the suit till realization on AS.No.46 of 2009 in O.S.No.76 of 2004.

2. The Superintending Engineer (R&B), Karimnagar has filed the second appeal against the Judgment and Decree made in AS No.46/2009 dt:27.04.2012. The Hon'ble High court on 29.01.2013 has passed Interim stay, subject to condition that the petitioners depositing half of the decretal amount including interest and cost within six weeks from date.29.01.2013.

3. Accordingly, in the reference 2nd read above Government have sanctioned for payment of half decretal amount of Rs.3,35,817/- including interest in the G.O. 2nd read above, but the same was lapsed, as the P.A.O, LMD Colony, Karimnagar had not passed the bill.

4. In the reference 3rd read above, the Engineer-in-Chief(R&B)State Roads & CRN, Hyderabad has further stated that the Hon'ble High Court was dismissed the second appeal duly directing to deposit the entire compensation amount including interest as per pronounced Judgment within 2 months i.e., 24.7.2014 the decretal amount worked out to Rs.6,87,610/- with interest is calculated to upto 28.12.2014.

(P.T.O)

5. The Engineer-in-Chief (R&B) State Roads & CRN, Hyderabad has therefore requested to sanction the decretal amount Rs.6,87,610/- under the Head of Account "5054-04-MH-800-GH.11-SH(33)-530-531" and issue necessary L.O.C to deposit the same in the Hon'ble High court of A.P.

6. After careful examination of matter of the matter, Government hereby accord administrative sanction for an amount of Rs.6,87,610/- (Rupees Six lakhs Eighty Seven thousand Six hundred ten only) towards Payment of Decretal amount for decree in A.S No.46/2009(in O.S.No.76/2004) and as per the directions of the Hon'ble A.P.H.C in Second Appeal No.1200/2013, and based on the calculation confirmed by the S.E, Karimnagar Circle in his letter 4th read above.

7. The amount sanctioned in Para (6) above shall be met from the head of account -5054-COL on Roads & Bridges -04-District and Other Roads- MH-800-Other Expenditure -GH11-Normal State Plan-SH(33)-Corenet work roads-530-Major works-531-Other expenditure".

8. The Engineer-in-Chief (R&B) State Roads & CRN, Hyderabad, shall take further action in the matter accordingly.

9. These orders issues with the concurrence of Finance (EBS-X) Department vide their U.O.No.8103/215/A1/EBS-X/14, Dt.07/01/2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SUNIL SHARMA
SECRETARY TO GOVERNMENT

To,
The Engineer-in-Chief (R&B) State Roads, CRN& R.S.W, Hyderabad.

Copy to:

The Accountant General, Telangana State, Hyderabad.

The Director Works & Accounts, Telangana State, Hyderabad.

The P.S to M(R&B)

The P.S to Secretary to TR&B.

The Finance(EBS-X) Department.

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER